

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.268 OF 2005

Baycity Resorts Pvt. Ltd. and
others

Petitioners

versus

The Greater Bombay Co-operative
Bank Ltd. and another

Respondents

Prakash Ganwani i/by Zohair & Co; for petitioners
K.J.Munshi i/by S. Satpute & Co; for respondent
no.1.

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 01st March 2005

PC :

1. Heard Mr.Gunwani for petitioners. Mr.Munshi appears for respondents. The action under challenge is taken by the respondent bank under sections 69 and 69(A) of the Transfer of Property Act to sell the mortgaged property. Against any such action by a party which is entitled to the same, no writ can lie. Petition dismissed.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)